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Attorneys for Defendant

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

MYSFYT, INC., a California corporation,

Plaintiff/Counterdefendant,

v.

JAMES LUM, an individual,

Defendant/Counterclaimant.

Case No.: 16-CV-03813-KAW

**STIPULATION TO STAY PROCEEDINGS
PENDING SETTLEMENT;
[PROPOSED] ORDER**

WHEREAS, Plaintiff/Counterdefendant Mysfyt, Inc. (“Plaintiff” and “Mysfyt”) and Defendant/Counterclaimant James Lum (“Defendant” and “Lum”) (collectively the “Parties”) have reached an agreement in principle for a settlement of this action;

WHEREAS, the Parties are continuing the process of finalizing a written settlement agreement;

WHEREAS, the Parties previously stipulated to stay proceedings for settlement (Dkt. Nos. 38, 40, 42, 44, and 46), and the Court ordered such stays (Dkt. Nos. 39, 41, 43, 45, and 47).

1 WHEREAS, the Parties require additional time to finalize a full settlement, and anticipate
2 the process to finalize settlement will be completed within thirty (30) days and that no further stay
3 will be required;

4 WHEREAS, the Parties believe full settlement is very imminent, and wish not to burden the
5 Court with unnecessary proceedings while the settlement process is completed; and

6 WHEREAS, a Further Case Management Conference is scheduled to take place on October
7 17, 2017 at 1:30pm, with a Further Case Management Statement due October 10, 2017.

8 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and among the
9 Parties, through their undersigned counsel, that the action be stayed for an additional period of thirty
10 (30) days pending the finalization of the settlement agreement, and that the Further Case
11 Management Conference scheduled on the Court's October 17, 2017 calendar be moved to
12 November 21, 2017 with the Further Case Management Statement to be filed by November 14,
13 2017.

14 IT IS SO STIPULATED AND AGREED.

15 Respectfully submitted,

16 Dated: October 10, 2017

17 INTELLECTUAL PROPERTY LAW GROUP LLP

18 By: /s/ Otto O. Lee

19 Otto O. Lee
20 Kevin Viau
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25 *Attorneys for Defendant*

26 Dated: October 10, 2017

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By: /s/ Dominic V. Signorotti *

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2 * Pursuant to Local Rule 5-1(i)(3), filing counsel attests that all other signatories listed, on whose
3 behalf the filing is submitted, concur in the filing's content and have authorized the filing.

4 **PROPOSED ORDER**

5 PURSUANT TO STIPULATION, IT IS SO ORDERED.

6 Dated: 10/12/17
7 _____


UNITED STATES MAGISTRATE JUDGE